

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
January 8, 2002, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
-

PRESENTATIONS

- Proclamations
-

UNFINISHED BUSINESS

- 1A. [ZON2001-00008](#) – Request for Zone Change from Multi-Family Residential to Limited Commercial, and [CUP2001-00004](#) – an Amendment to DP-62 Chelsea Station C.U.P. to Create Parcel 13; Generally Located on the Northwest Corner of Rockhill and Rock Road. (District II)

On May 15, 2001, the City Council referred the case back to District Advisory Board II and MAPC for reconsideration.

RECOMMENDED ACTION: Approve zone change and C.U.P. amendment, subject to recommended conditions; Ordinance to be forwarded for first reading when Plat is forwarded to the City Council.

1. [Day Reporting Site Lease Guaranty.](#) (District VI)

The proposed Agreement serves as a guaranty of the Lease Agreement between the owner and CSI, and establishes conditions for lease.

RECOMMENDED ACTION: Approve the Lease Guaranty Agreement; authorize necessary signatures.

2. [Vehicle Rental Occupation Tax.](#)

(Continued from October 23, 2001)

RECOMMENDED ACTION: Approve first reading of Ordinance.

NEW BUSINESS

3. [Naming of Park Property: Delano Park.](#) (District IV)

The Naming Advisory Committee unanimously recommended naming the property "Delano Park."

RECOMMENDED ACTION: Approve name: "Delano Park."

4. [Multicultural Neighborhood Center \(SER\).](#)

On January 9, 2001, the City Council approved a Community Development Block Grant loan for acquisition of a facility. The CDBG Contract expired on December 31, 2001.

RECOMMENDED ACTION: Extend funding (no later than June 30, 2002);
or require a new application.

(9:30 a.m.)

5. [Repair or Removal of Dangerous and Unsafe Structures.](#)

The City Council adopted Resolutions providing for a public hearing to be held at 9:30 a.m. (or as soon thereafter), on the following properties:

<u>Property Address</u>	<u>Council District</u>
1. 4558 South Seneca	IV
2. 1647 South Palisade	III
3. 922 North Wichita	VI
4. 1208 North Chautauqua	I
5. 1806 South Seneca	IV

RECOMMENDED ACTION: Close public hearing; adopt Resolutions.

CITY COUNCIL AGENDA

6. [Dangerous and Unsafe Property Extension of Time - 2717 Shadybrook.](#) (Requested by Council Member Brewer)

RECOMMENDED ACTION: Grant extension.

7. [Appointments to Grants Review Committee.](#)

On December 18, 2001, the City Council reappointed existing Board Members. Appointments remain for Large Business, District Advisory Boards, and Wichita Independent Neighborhoods.

RECOMMENDED ACTION: Make the appointments.

8. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

9. Report of the Board of Bids and Contracts Dated January 7, 2002.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

10. Application for Licenses for Adult Entertainment Establishments/Services:

Renewal Adult Entertainment

Donna Moody	Wichita Inn Motel Systems	2020 South Broadway
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New Escort Service

Tekoa Antwan Callaway	Private Escapes	4406 West Central
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RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

11. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2001</u>	<u>(Consumption off Premises)</u>
Jay A. Johnson	Johnson's General Store, Inc. #39	5400 North Meridian
Jay A. Johnson	Johnson's General Store, Inc. #06	1003 South Seneca
<u>New Operator</u>	<u>2001</u>	<u>(Consumption on Premises)</u>
Angel Lopez	Don Pilaro Grill*	2005 South Seneca

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

12. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

13. Preliminary Estimates:

- a) Improving 21st Street North from 200 meters west of C.L. 119th Street West to 382.274 meters west of C.L. Maize Road - west of Maize Road at 21st Street North. (87 N-0189-01/472-83138/706814/201279) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$2,779,416
- b) Lateral 304, Four Mile Creek to serve Brookhaven Estates Addition - northeast corner of 159th East and Central. (468-83238/743867/480555) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$316,344
- c) 2001 sanitary sewer reconstruction Phase 7 (Canal Manholes) - north of Central at I-135. (468-83338/620326/661450) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$70,000
- d) 12-inch main in Woodrow from Friar Lane to 39th Street North (W-824) - along Woodrow north of 37th Street. (448-89574/633736/751824) Traffic to be carried thru construction w/flagman. (District VI) - \$150,000
- e) 12-inch and 16 Inch Main in Sheridan from Kellogg to Burton (W-829) - along Sheridan north of Kellogg. (448-89575/633737/751829) Traffic to be carried thru construction w/flagman. (District VI) - \$250,000
- f) Water distribution system to serve Southwest Industrial Addition - north of Pawnee, west of Meridian. (448-89585/735018/470688) Does not affect existing traffic. (District IV) - \$58,000
- g) Lateral 10, Main 16, Sanitary Sewer #22 to serve Southwest Industrial Addition - north of Pawnee, west of Meridian. (468-83272/743873/480561) Does not affect existing traffic. (District IV) - \$129,000

RECOMMENDED ACTION: Approve and file.

14. Deeds and Easements:

- a) Easement dated December 3, 2001, from Intrust Bank, Trustee, Fount K. Hartley Trust, for tract of land in Lot 1, Coleman Detweiler Addition. (No cost to City)
- b) Dedication of storm sewer easement dated December 12, 2001, from Investment Resources Corporation, for property in the SE corner of NE ¼ Section 16, Township 28, Range 1 East.
- c) Sewer Easement dated December 10, 2001, from Duane Wiechman for tract of land located in the NE ¼, Section 26, Township 27 South, Range 2 West.
- d) Utility Easement dated January 8, 2001, from City of Wichita, a Municipal Corporation for part of the SE ¼ of Section 34, Township 26 South, Range 1 East.

RECOMMENDED ACTION: Accept documents; authorize necessary signatures.

15. Minutes of Advisory Boards/Commissions:

Historic Preservation Board, September 10, 2001
District VI Advisory Board, October 1, 2001, October 17, 2001, November 5, 2001
Historic Preservation Board, October 8, 2001
District VI Floodway Bridge Task Force, October 10, 2001
WER, October 17, 2001
Design Review Committee – Historic Preservation Board, October 22, 2001
Police & Fire Retirement, October 24, 2001
Deferred Compensation Board, November 1, 2001
District V Advisory Board, November 5, 2001
MAPC, November 8, 2001
Design Council – City Arts, November 15, 2001

RECOMMENDED ACTION: Receive and file.

16. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

17. Agreements/Contracts:

- a) [Renovation](#) of Veteran's Memorial Park. (District VI)
- b) [Respread](#) assessments for Auburn Hills 13th Addition, south of Maple, west of 119th Street West. (District V)
- c) [Cox](#) Communications – Council meeting broadcasts.
- d) [Supplemental](#) – construction engineering and staking for Ridge Port North and Ridge Port North Third Additions – east of Ridge Road, north of 29th Street North. (District IV)
- e) [Extension](#) of HOME CHDO development funding contract for Community Housing Services of Wichita/Sedgwick County. (District I)
- f) [Equus](#) Beds aquifer storage and recovery. (District I)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

18. Design Service Agreements:

- a) [Mel](#) Hambelton Addition, east of 119th Street West, south of Kellogg. (District IV)
- b) [Auburn](#) Hills 13th Addition, west of 135th Street West, south of Maple. (District IV)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

19. [North Industrial Corridor – Boundary Amendment.](#)

RECOMMENDED ACTION: Approve boundary amendment;
adopt Resolution.

20. Change Orders:

- a) [Bridgeport](#) Adult Soccer Field development. (District VI)
- b) [Farm](#) and Art Market building improvements. (District VI)
- c) [Lawrence](#)-Dumont Stadium improvements. (District IV)

RECOMMENDED ACTION: Approve Change Orders.

21. [Banner](#) Customer Service Information Software Upgrade.

RECOMMENDED ACTION: Approve transfer of funds.

22. [Proposed](#) 2002 Contracted Street Maintenance Program.

RECOMMENDED ACTION: Approve programs; authorize budget
adjustments.

23. [Public](#) Exigency Project, Water Main Leak – Andover Road and Turnpike.

RECOMMENDED ACTION: Affirm public exigency.

24. [Utility](#) Infrastructure Protection and Reliability.

RECOMMENDED ACTION: Approve project, Agreement, and budget adjustment;
adopt Resolution; authorize necessary signatures.

25. [Budget](#) Adjustments – 2001 Year-End.

RECOMMENDED ACTION: Approve budget adjustments.

26. Property Acquisition:

- a) [505](#) South Woodlawn. (District II)
- b) [3959](#) South Hydraulic. (District III)

(Item 26 continued)

- c) [537](#) and 545 South Edgemoor. (District II)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

27. [Acquisition](#) by Eminent Domain of Portion of 506 South Edgemoor. (District II)

RECOMMENDED ACTION: Adopt Resolution; approve first reading of Ordinance providing for acquisition by eminent domain.

28. [Amending](#) Resolution – College Hill Pool Improvements. (District II)

RECOMMENDED ACTION: Adopt Resolution.

29. [First Reading Ordinance – DR01-13 Amendments to Comprehensive Plan:](#)

(The City Council approved the proposed amendments on December 18, 2001, and directed preparation of the Ordinance.)

RECOMMENDED ACTION: Approve first reading of Ordinance.

30. [Second Reading Ordinances:](#) (First read December 18, 2001)

- a) Tax Exemption Request – Weaver Manufacturing, Inc. (District I)

An Ordinance exempting property from Ad Valorem Taxation for Economic Development Purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; and describing the property of Perfekta, Inc., so exempted.

- b) Tax Exemption Request – Benecor, Inc. (District II)

An Ordinance exempting property from Ad Valorem Taxation for Economic Development Purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; and describing the property of Weaver Manufacturing, Inc., so exempted.

- c) Tax Exemption Request – Evcon Industries, Inc. District IV)

An Ordinance exempting property from Ad Valorem Taxation for Economic Development Purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; and describing the property of Evcon Industries, Inc., so exempted.

(Item 30 continued)

d) Tax Exemption Request – Perfekta, Inc. (District VI)

An Ordinance exempting property from Ad Valorem Taxation for Economic Development Purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; and describing the property of Perfekta, Inc., so exempted.

e) 2002 Position Classification.

An Ordinance establishing position classifications for employees of the City of Wichita and prescribing pay rates by reference to Position Classifications in the Schedule of Pay Ranges repealing Ordinance No. 44-820.

f) A01-15 – North of 21st Street North, and East and West of Hoover. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A01-15

g) SCZ-0785 - Northeast corner of 167th Street West and Kellogg. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. SCZ-0785

h) Sewer rates.

An Ordinance amending Sections 16.14.030 and 16.14.040 of the Code of the City of Wichita, Kansas, relating to the schedule of rates for users of the sanitary sewer system, and repealing the original of said Section.

i) Water rates and charges.

An Ordinance amending Section 17.12.090 of the Code of the City of Wichita, Kansas, relating to the schedule of rates and charges for water service, and repealing the original of said Section.

RECOMMENDED ACTION: Adopt Ordinances.

31. Third Reading Ordinance: (First read December 11, 2001)

a) Telecommunications Franchise – Adelphia Business Solutions.

An Ordinance granting to Adelphia Business Solutions, its successors and assigns, a franchise and the right to construct, operate, maintain and extend a Telecommunication System in the City of Wichita, Kansas, prescribing the terms of said Grant and relating thereto.

RECOMMENDED ACTION: Adopt Ordinance.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- *32. VAC2001-00050 – Vacate Platted 10-Foot Utility Easement, Southwest of the 29th Street North/Rock Road Intersection. (District I)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

- *33. VAC2001-00051 – Vacate Portion of Platted 25-Foot Building Setback Line, Southeast Corner of Cranbrook Street and Mt. Vernon. (District II)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

34. VAC2001-00053 – Vacate Portion of Wichita-Valley Center Flood Control Easement and the Amidon Avenue Right-of-way, Southwest of 37th Street North – Amidon Avenue Intersection. (District VI)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

- *35. VAC2001-00055 – Vacate Platted 30-Foot Front Building Setback Line, Northeast of Greenwich/Mt. Vernon Intersection. (District II)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

- *36. SUB2001-00050 – Plat of Nies Fourth Addition, Northeast Corner of Pawnee and Webb Road. (District II)

RECOMMENDED ACTION: Approve documents, Plat, and first reading of ZON2001-00014 Ordinance; adopt Resolutions; authorize necessary signatures.

- *37. SUB2001-00061 – Plat of Pine Meadow Addition, East Side of Greenwich, South of 13th Street North. (District II)

RECOMMENDED ACTION: Approve documents and Plat; adopt Resolutions; authorize necessary signatures.

- *38. [SUB2001-00098 – Plat of Pine Meadows Second Addition, East of Greenwich, South of 13th Street North.](#) (District II)

RECOMMENDED ACTION: Approve documents and Plat; adopt
Resolutions; authorize necessary signatures.

- *39. [A01-22 – Annexation of Land Generally Located South of K-42 and West of Ridge Road.](#) (District V)

RECOMMENDED ACTION: Approve annexation and first reading of
Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

*Consent Items.

40. [Contract – Environmental Investigation Runway Protection Acquisition.](#)

RECOMMENDED ACTION: Approve Contract; authorize necessary signatures.

41. [Security - Fingerprint System.](#)

RECOMMENDED ACTION: Approve purchase.

42. [Tenant Improvements.](#)

RECOMMENDED ACTION: Approve project.

Adjournment
